

000295

COMMITTEE ACTION SHEET

102  
03/10

COUNCIL DOCKET OF \_\_\_\_\_

☐ Supplemental ☐ Adoption ☐ Consent ☐ Unanimous Consent Rules Committee Consultant Review

R -

O -

Right of Way Design Division Change Order No. 1 for Water Group 3000

☒ Reviewed ☐ Initiated By NR&C On 1/28/09 Item No. 1a

RECOMMENDATION TO:

Approve.

VOTED YEA: Frye, DeMaio, Lightner, Emerald

VOTED NAY:

NOT PRESENT:

CITY CLERK: Please reference the following reports on the City Council Docket:

REPORT TO THE CITY COUNCIL NO.

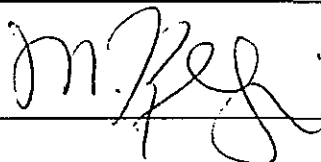
INDEPENDENT BUDGET ANALYST NO.

COUNCIL COMMITTEE CONSULTANT ANALYSIS NO.

OTHER:

Engineering and Capital Projects Department's January 21, 2009, Executive Summary Sheet

COUNCIL COMMITTEE CONSULTANT



000297

## EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: January 21, 2009 REPORT NO.  
ATTENTION: Natural Resources and Culture Committee  
Agenda of January 28, 2009  
ORIGINAL DEPT.: Engineering and Capital Projects, Right of Way Design Division  
SUBJECT: Change Order No. 1 for Water Group 3000  
COUNCIL DISTRICT: 3 (Gloria)  
STAFF CONTACTS: Marnell Gibson (619) 533-5213 / Carl Spier (619) 533-5126

REQUESTED ACTION:

Council authorization is requested for additional funds for construction Change Order No. 1 for Water Group 3000.

STAFF RECOMMENDATIONS:

Adopt the resolutions.

EXECUTIVE SUMMARY:

Water Group 3000 is part of the City of San Diego's cast iron Water Main Replacement Program as mandated by Department of Health Services compliance order No. 04-14-96-022 - and is currently in construction with Burtech Pipeline, Incorporated. Water Groups 464B and 753 are located in the Centre City Community and Water Group 705 is located in the Kensington-Talmadge community. These projects include the replacement of approximately 9,963 total linear feet of water mains: 3,600 linear feet (0.67 miles) for Water Group 464B; 3,825 linear feet (0.72 miles) for Water Group 705; and 2,538 linear feet (0.48 miles) for Water Group 753. It also includes installing curb ramps and street resurfacing. Originally these projects were intended to be advertised individually. In order to expedite their construction, they were grouped under one construction contract known as Water Group 3000. The total cost for construction of Group 3000 is \$2.6 million for 1.91 miles of water main replacement.

During installation of water mains along Natalie Drive, the contractor discovered badly deteriorated sewer lateral connections. Further investigation by MWWD Operations resulted in a recommendation for the immediate replacement of approximately 3,367 linear feet (0.64 miles) of the deteriorated 8-inch sewer main, along the same alignment of the water main. Immediate replacement is necessary in order to avoid imminent failure of the existing pipeline and surrounding right-of-way improvements. Not replacing it will increase the chances of sewer spills, sewer back-ups, and could jeopardize the integrity of the surrounding infrastructure.

The streets affected by construction operations of Water Group 705 portion of this project are Constance Drive, Natalie Drive, Adams Avenue, and Madison Avenue, as shown on the attached location map. In order to make this change order effort economically advantageous, this sewer main replacement construction change order will be work added to the water main replacement of Water Group 705 already in progress. By doing so, a considerable reduction in inconveniences to the community would be realized by utilizing the existing contractor and their familiarity with the area's field conditions. Also, by completing this work at present, the need to return for future infrastructure work will be eliminated.

EQUAL OPPORTUNITY CONTRACTING:

Funding Agency: City of San Diego - Prevailing wages does not apply to this Contract.

000298

Goals: The original subcontracting goals were as follows: 16% Mandatory Subcontractor Participation Goal, 5% Advisory Participation Goal Disadvantaged Business Enterprise (DBE), 1% Advisory Participation Goal Disabled Veteran Business Enterprise (DVBE), 10% Advisory Participation Goal Other Business Enterprise (OBE).

Other: Staff will continue to monitor adherence to the Nondiscrimination Ordinance and compliance with SCOPe on all pending and future change orders.

FISCAL CONSIDERATIONS:

The total estimated cost of this sewer main replacement construction Change Order No. 1 is \$1,177,390.25. Sewer - funding of \$1,117,390.25 is available in CIP No. 44-001.0, Annual Allocation -- Sewer Main Replacements, Fund 41506, Sewer, for this purpose. The project costs for the sewer portion of \$1,177,390.25 may be reimbursed approximately 80% by current or future debt financing. This project is scheduled to be funded in Fiscal Year 2009. No future funding is anticipated.

PREVIOUS COUNCIL AND COMMITTEE ACTIONS:

Water Group 3000 project was presented to the Natural Resources & Culture Committee for information only on February 21, 2007; Council Resolution (R-303441), dated March 14, 2008, awarded the contract for Water Group 3000.

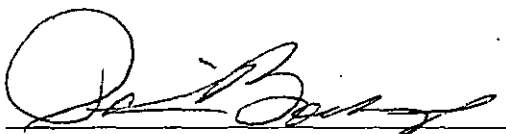
COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

This project was presented to the Kensington Committee in January 2003. Residents and businesses were notified by mail prior to construction beginning by the contractor through hand distribution of notices and will again be notified prior to start of work for the sewer replacement project.

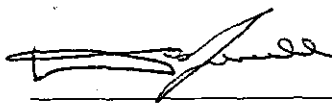
KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

The key stakeholders are the general contractor, Burtech Pipeline, Inc., and the community.

The community will encounter minor inconveniences during construction. After completion, residents will experience improved reliability of the water and sewer distribution system.



Patti Boekamp, Director  
Engineering & Capital Projects Department



David Jarrell  
Deputy Chief of Public Works



## THE CITY OF SAN DIEGO

## M E M O R A N D U M

DATE: January 13, 2009

TO: Natural Resources and Culture Committee

FROM: David Jarrell, Deputy Chief of Public Works

SUBJECT: Water Group 3000 – Additional Sewer Replacement Request

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Water Group 3000 (WG3000) is part of the City of San Diego's cast iron Water Main Replacement Program as mandated by Department of Health Services compliance order No. 04-14-96-022 - and is currently in construction with Burtech Pipeline, Incorporated. This project includes the replacement of approximately 9,963 total linear feet of water mains in the Kensington-Talmadge, and the Center City Communities.

During installation of the new water main we discovered a severely deteriorated sewer system along Natalie Drive and that the sewer replacement in this location should be expedited. Through extensive research and negotiations the best means for replacing the deteriorated sewer is to include it in the current contract awarded in the vicinity of the Kensington – Talmadge area as shown in the attached map. We are requesting approval of the addition of this sewer replacement to WG3000 to take advantage of the existing contractor along the same alignment, to alleviate any health and safety issues, and additional community disruptions. Immediate replacement should be executed to avoid imminent failure of the existing pipeline and surrounding right-of-way improvements. Not replacing it will increase the chances of sewer spills, sewer back-ups, and could jeopardize the integrity of the surrounding infrastructure.

A handwritten signature in black ink, appearing to read "David Jarrell".

David Jarrell  
Deputy Chief Public Works

RO/jm

Attachments: 1472  
Location Map

000300

cc: Patti Boekamp, Director, Engineering & Capital Projects Department  
Afshin Oskoui, Assistant Director, Engineering & Capital Projects Department  
Marnell Gibson, Deputy Director, Right of Way Design Division, E&CP  
Carl Spier, Senior Civil Engineer, Right of Way Design Division, E&CP

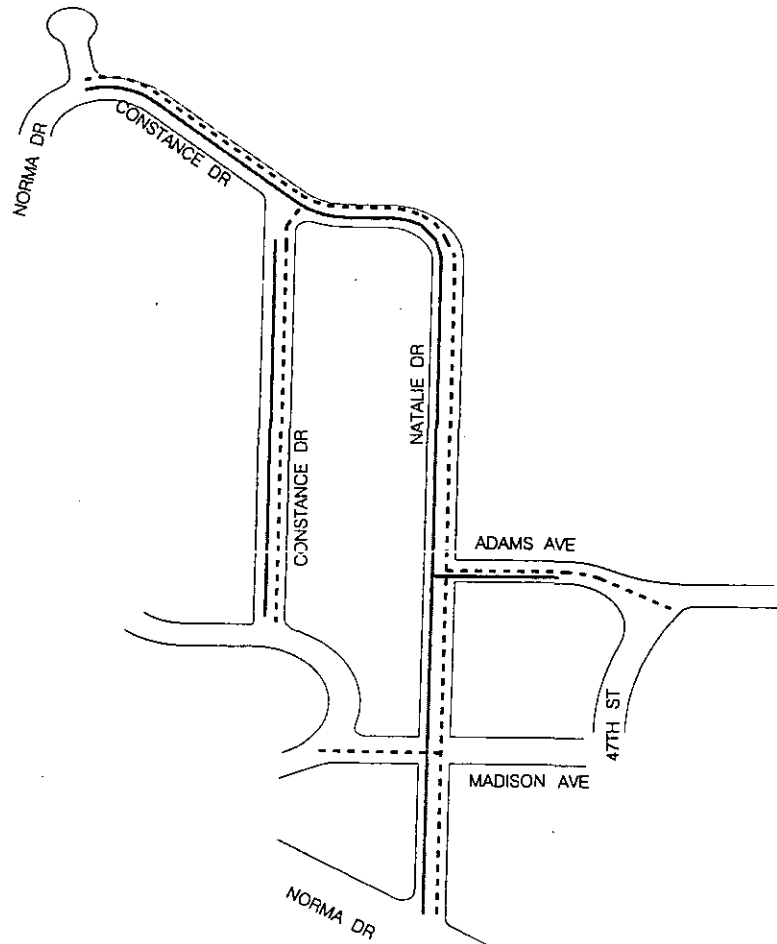
000301

Group 3000, Water Group 705  
Additional Sewer Main Replacement

SENIOR ENGINEER  
CARL SPIER  
☎ 619-533-5126

PROJECT MANAGER  
REGAN OWEN  
☎ 619-533-5205

PROJECT ENGINEER  
MATT DEBELISO  
☎ 619-533-5286



LEGEND:

- Additional Sewer Main Replacement
- - - - - Water Group 705 Alignment



**000303**DOCKET SUPPORTING INFORMATION  
CITY OF SAN DIEGO

DATE:

102

03/10

**EQUAL OPPORTUNITY CONTRACTING PROGRAM EVALUATION**

January 29, 2009

SUBJECT: Water Group 3000 – Sewer Main Replacement Change Order No. 1

**GENERAL CONTRACTOR INFORMATION**

Recommended Contractor: Burtech Pipeline, Inc.  
Amount of this Action: \$1,174,830.25  
Change Order Amount: \$ 954,830.25  
Original Contract: \$2,639,575.18  
Cumulative Amount: \$3,594,405.43  
Funding Source: City of San Diego

**SUBCONTRACTOR PARTICIPATION****This Action****Cumulative**

Brian F. Smith & Associates (Other)	\$41,405.00	4.34%	\$ 89,205.00	2.48%
Coastal Pipeline Services (Other)	\$ 1851.85	0.19%	\$ 1,851.85	0.05%
G. Scott Asphalt (DVBE)	\$ 0.00	0.00%	\$117,323.00	3.26%
Inland Valley Engineering (Other)	\$ 0.00	0.00%	\$ 11,000.00	0.31%
Oldcastle Precast Solutions (Other)	\$20,340.00	2.13%	\$ 20,340.00	0.57%
Payco Specialties (DBE/Caucasian Female)	\$ 0.00	0.00%	\$ 22,825.00	0.64%
Sealright Paving (Other)	\$15,151.00	1.59%	\$161,801.52	4.50%
Underground Solutions (Other)	\$ 0.00	0.00%	\$ 7,920.00	0.22%
Video Fact (Other)	\$ 0.00	0.00%	\$ 1,750.00	0.05%
YBS Concrete (Other)	\$ 5,150.00	0.54%	\$192,100.00	5.34%
<b>Total Certified Participation</b>	<b>\$ 0.00</b>	<b>0.00%</b>	<b>\$140,148.00</b>	<b>3.90%</b>
<b>Total Other Participation</b>	<b>\$83,897.85</b>	<b>8.79%</b>	<b>\$485,968.37</b>	<b>13.52%</b>
<b>Total Participation</b>	<b>\$83,897.85</b>	<b>8.79%</b>	<b>\$626,116.37</b>	<b>17.42%</b>

**EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE**

Equal Opportunity: Required

Burtech Pipeline, Inc. submitted a Work Force Report for their San Diego County employees dated September 24, 2008, indicating 17 employees in their Administrative Work Force and 61 employees in their Trade Work Force. The Administrative Work Force Report Analysis reflects no under representations. The Trade Work Force Report Analysis reflects no under representations.

This agreement is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2702) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517)

**ADDITIONAL COMMENTS**The *Work Force Analyses* are attached.  
JLR

File: Admin WOFO 2000

Date WOFO Submitted: 9/24/2008  
Input by: LadGoals reflect statistical labor force  
availability for the following: 2000 CLFA  
San Diego, CACity of San Diego/Equal Opportunity Contracting  
**WORK FORCE ANALYSIS REPORT**  
FOR  
Company: *Burtech Pipeline, Inc.*

## I. TOTAL WORK FORCE:

	CLFA		Black		CLFA		Hispanic		CLFA		Asian		CLFA		American Indian		CLFA		Filipino				White				Other	
	Goals		M	F	Goals		M	F	Goals		M	F	Goals		M	F	Goals		M	F			M	F			M	F
Mgmt & Financial	3.3%		0	0	11.9%		1	1	6.2%		0	0	0.4%		0	0	6.2%		0	0			1	1			0	0
Professional	4.0%		0	0	12.6%		1	0	6.5%		0	0	0.5%		0	0	6.5%		1	0			0	1			0	0
A&E, Science, Computer	2.8%		0	0	7.3%		0	0	16.2%		0	0	0.3%		0	0	16.2%		0	0			0	0			0	0
Technical	6.6%		0	0	14.8%		0	0	17.2%		0	0	0.4%		0	0	17.2%		0	0			0	0			0	0
Sales	3.9%		0	0	19.5%		0	0	6.8%		0	0	0.6%		0	0	6.8%		0	0			0	0			0	0
Administrative Support	7.0%		0	0	20.8%		0	1	8.8%		0	0	0.6%		0	0	8.8%		0	0			0	4			0	0
Services	5.5%		0	0	36.9%		0	0	9.7%		0	0	0.6%		0	0	9.7%		0	0			0	0			0	0
Crafts	4.5%		0	0	25.8%		0	0	9.1%		0	0	0.7%		0	0	9.1%		0	0			0	0			0	0
Operative Workers	4.3%		0	0	38.8%		0	0	20.8%		0	0	0.3%		0	0	20.8%		0	0			0	0			0	0
Transportation	8.1%		0	0	32.1%		2	0	4.5%		0	0	0.5%		0	0	4.5%		0	0			1	0			0	0
Laborers	4.4%		0	0	54.0%		2	0	4.1%		0	0	0.5%		0	0	4.1%		0	0			0	0			0	0
TOTAL			0	0			6	2			0	0			0	0			1	0			2	6			0	0

## HOW TO READ TOTAL WORK FORCE SECTION:

The information blocks in Section 1 (Total Work Force) identify the absolute number of the firm's employees. Each employee is listed in their respective ethnic/gender and employment category. The percentages listed under the heading of "CLFA Goals" are the County Labor Force Availability goals for each employment and ethnic/gender category.

Mgmt & Financial  
Professional  
A&E, Science, Computer  
Technical  
Sales  
Administrative Support  
Services  
Crafts  
Operative Workers  
Transportation  
Laborers

TOTAL EMPLOYEES			Female Goals
ALL	M	F	
4	2	2	39.6%
3	2	1	59.5%
0	0	0	22.3%
0	0	0	49.0%
0	0	0	49.4%
5	0	5	73.2%
0	0	0	62.3%
0	0	0	8.8%
0	0	0	36.7%
3	3	0	15.2%
2	2	0	11.1%

## HOW TO READ EMPLOYMENT ANALYSIS SECTION:

The percentages listed in the goals column are calculated by multiplying the CLFA goals by the number of employees in that job category. The number in that column represents the percentage of each protected group that should be employed by the firm to meet the CLFA goal. A negative number will be shown in the discrepancy column for each underrepresented goal of at least 1.00 position.

## II. EMPLOYMENT ANALYSIS

TOTAL

17	9	8
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	Black			Hispanic			Asian			American Indian			Filipino			Female		
	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy
Mgmt & Financial	0.13	0	N/A	0.48	2	1.52	0.25	0	N/A	0.02	0	N/A	0.25	0	N/A	1.59	2	N/A
Professional	0.12	0	N/A	0.38	1	N/A	0.20	0	N/A	0.02	0	N/A	0.20	1	N/A	1.79	1	N/A
A&E, Science, Computer	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Technical	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Sales	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Administrative Support	0.35	0	N/A	1.04	1	N/A	0.44	0	N/A	0.03	0	N/A	0.44	0	N/A	3.66	5	1.34
Services	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Crafts	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Operative Workers	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Transportation	0.24	0	N/A	0.96	2	1.04	0.14	0	N/A	0.02	0	N/A	0.14	0	N/A	0.48	0	N/A
Laborers	0.09	0	N/A	1.08	2	N/A	0.08	0	N/A	0.01	0	N/A	0.08	0	N/A	0.22	0	N/A

Goals are set by job categories for each protected group. An underrepresentation is indicated by a negative number, but if the DISCREPANCY is less than -1.00 position, a N/A will be displayed to show there is no underrepresentation.



[illegible]

<b>000309</b>		<b>REQUEST FOR COUNCIL ACTION</b> CITY OF SAN DIEGO		1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) <b>102</b> <b>290066</b> 03/10			
TO: CITY ATTORNEY		2. FROM (ORIGINATING DEPARTMENT): ENGINEERING AND CAPITAL PROJECTS		3. DATE: December 8, 2008			
4. SUBJECT: <p style="text-align: center;">Water Group 3000. – Sewer Main Replacement Change Order No. 1</p>							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Marnel Gibson (619) 533-5213 MS908A		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) CS Carl Spier (619) 533-5126 MS908A		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>			
<b>8. COMPLETE FOR ACCOUNTING PURPOSES</b>							
FUND	41506	41506		9. ADDITIONAL INFORMATION / ESTIMATED COST: Sewer FY09 Eng. & Admin. \$ 180,000.00 Change Order No.1 \$ 954,830.25 Contingencies \$ 40,000.00 Total Request \$1,174,830.25			
DEPT.	773	773					
ORGANIZATION	960	960					
OBJECT ACCOUNT	4279	4279					
JOB ORDER	440010	175410					
C.I.P. NUMBER	44-001.0	44-311.5					
AMOUNT	\$1,024,830.25	\$150,000					
<b>10. ROUTING AND APPROVALS</b>							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	DEPT. DIRECTOR		1/22/08	8	DEPUTY CHIEF		2/23/09
2	WATER	APPROVAL SIGNATURES ON FILE		9	C.O.O.		2/23/09
4	MWWD			10	CITY ATTORNEY		2/24/09
3	E.A.S.			11	ORIG. GEPT.		2/24/09
4	E.O.C.P.						
5	DOCKET LIAISON	 Van Nguyen	1/30/09		DOCKET COORD:	COUNCIL LIAISON	
6	FM-CIP		1/20/09	✓	COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
7	COMPTROLLER		2/20/09			<input type="checkbox"/> REFER TO: COUNCIL DATE: 3-10-09	
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
1. Authorizing the Mayor, or his designee, to execute construction Change Order No. 1 with Burtech Pipeline, Inc., for an amount not to exceed \$954,830.25; and (Please see continuation page.)							
11A. STAFF RECOMMENDATIONS: Adopt the Resolutions.							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)							
COUNCIL DISTRICT(S):		3 (Gloria)					
COMMUNITY AREA(S):		Kensington-Talmadge					
ENVIRONMENTAL IMPACT:		Please see continuation page.					
HOUSING IMPACT:		None.					
ATTACHMENTS:		Contractor's Cost Proposal, Construction Change Order No. 1, Project Cost Estimate, Location Map.					
OTHER ISSUES:		Upon Council approval, please forward two copies of the 1472 and Resolution(s) to Joanne Ferrer at MS-908A, Robert Barreras at MS-901A, and Yeshe Bezuneh at MS-6A.					

000310

## SECTION 11 – PREPARATION OF RESOLUTIONS, ORDINANCES, ETC. (CONTINUED):

2. Authorizing the expenditure of \$1,174,830.25 from CIP No. 44-001.0, Annual Allocation – Sewer Main Replacements, Fund 41506, Sewer, for construction of Change Order No. 1 and other related costs, Water Group 3000 (Water Group 705) – Sewer Main Replacement, contingent upon the City Comptroller furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and
3. Authorizing the City Comptroller, upon the advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

## SECTION 12 – SPECIAL CONDITIONS (CONTINUED):

ENVIRONMENTAL IMPACT:

The change order activity is adequately addressed in the environmental document, LDR File No. 42-0889, dated January 27, 2003 (Mitigated Negative Declaration for project Sewer & Water Group 705) and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental document, adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review pursuant to State CEQA Guidelines Section §15060(c)(3).

000311

## EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED:	December 8, 2008	REPORT NO.
ATTENTION:	Council President and City Council	
ORIGINAL DEPT.:	Engineering and Capital Projects, Right of Way Design Division	
SUBJECT:	Change Order No. 1 for Water Group 3000	
COUNCIL DISTRICT:	3 (Gloria)	
STAFF CONTACTS:	Marnell Gibson (619) 533-5213/Carl Spier (619) 533-5126	

REQUESTED ACTION:

Council authorization is requested for additional funds for construction Change Order No. 1 for Water Group 3000.

STAFF RECOMMENDATIONS:

Adopt the resolutions.

EXECUTIVE SUMMARY:

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EQUAL OPPORTUNITY CONTRACTING:

000312 Funding Agency: City of San Diego - Prevailing wages does not apply to this Contract.

Goals: The original subcontracting goals were as follows: 16% Mandatory Subcontractor Participation Goal, 5% Advisory Participation Goal Disadvantaged Business Enterprise (DBE), 1% Advisory Participation Goal Disabled Veteran Business Enterprise (DVBE), 10% Advisory Participation Goal Other Business Enterprise (OBE).

Other: Staff will continue to monitor adherence to the Nondiscrimination Ordinance and compliance with SCOPE on all pending and future change orders.

FISCAL CONSIDERATIONS:

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PREVIOUS COUNCIL AND COMMITTEE ACTIONS:

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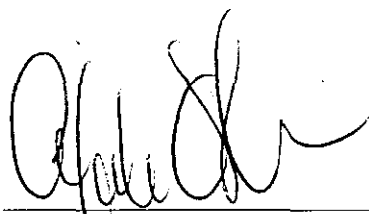
COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

This project was presented to the Kensington Committee in January 2003. Residents and businesses were notified by mail prior to construction beginning by the contractor through hand distribution of notices and will again be notified prior to start of work for the sewer replacement project.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

The key stakeholders are the general contractor, Burtech Pipeline, Inc., and the community.

The community will encounter minor inconveniences during construction. After completion, residents will experience improved reliability of the water and sewer distribution system.



*man*  
Patti Boekamp, Director  
Engineering & Capital Projects Department



David Jarrell  
Deputy Chief of Public Works

The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

000313

CERTIFICATE OF UNALLOTTED BALANCE

AC 2900609  
ORIGINATING  
DEPT. NO.: 773

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$220,000.00 Fund: 41506

Purpose: Authorizing an expenditure of funds for project related costs for Sewer Group 705.

Date: February 20, 2009

By: Van Nguyen

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	41506	773	960	4279	175410				\$220,000.00
TOTAL AMOUNT										\$220,000.00

FUND OVERRIDE ☐

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$954,830.25

Vendor: Burtech Pipeline, Inc

Purpose: Authorizing an expenditure of funds for Construction of Sewer Group 705.

Date: February 20, 2009

By: Van Nguyen

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
004	0	41506	773	960	4220	175414				\$954,830.25
TOTAL AMOUNT										\$954,830.25

## PROJECT COST ESTIMATE

PROJECT: Water Group 3000 - Sewer Main Replacement Change Order No.1  
 AWARD X  
 Advertise: \_\_\_\_\_ Council District: 3  
 Reallocation: \_\_\_\_\_ Community Area: Kensington-Falmage  
 City Force Work \_\_\_\_\_  
 Deappropriation: \_\_\_\_\_

PREPARED BY: M DEBELISO  
 DATE: December 8, 2008  
 Work Order NO.: 175410  
 Sub CIP No.: 44-311.5

## ACTIVITY: CIP NO. OR OTHER SOURCE OF FUNDS

000315

	FY09 44-311.5 Current	FY09 44-311.5 Revised	44-311.5 Total	% E & Const.
<b>A. ENGINEERING</b>				
4114 - In House Eng.		158,000.00	158,000.00	13.45%
4115 - As Needed Consult.			0.00	0.00%
4116 - Const. Eng.		22,000.00	22,000.00	1.87%
4118 - Outside Eng./Consult.			0.00	0.00%
4119 - Enviro. Impact Studies			0.00	
4151 - Professional Services			0.00	0.00%
4240 - Reimbursement Agree.			0.00	0.00%
<b>TOTAL ENGINEERING</b>	<b>0.00</b>	<b>180,000.00</b>	<b>180,000.00</b>	<b>15.32%</b>
<b>B. CONSTRUCTION</b>				
4220 - Prime Const. Contract		954,830.25	954,830.25	81.27%
4240 - Participation Agree			0.00	0.00%
42220 - JOC or GRC			0.00	0.00%
4226 - City Forces Work	0.00	0.00	0.00	0.00%
4150 - Safety			0.00	0.00%
4810 - OCIP			0.00	0.00%
<b>TOTAL CONSTRUCTION</b>	<b>0.00</b>	<b>954,830.25</b>	<b>954,830.25</b>	<b>81.27%</b>
<b>C. EQUIPMENT &amp; FURNISHINGS</b>				
3298 - Unclass. M&S Purch.			0.00	0.00%
3316 - Pipe Fittings			0.00	0.00%
4922 - Const. Related			0.00	0.00%
<b>TOTAL EQUIP. &amp; FURN.</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>
<b>D. CONTINGENCIES</b>				
4905 - Contingencies		40,000.00	40,000.00	3.40%
4909 - Pooled Contingencies			0.00	0.00%
<b>E. SUB-TOTAL</b>	<b>0.00</b>	<b>1,174,830.25</b>	<b>1,174,830.25</b>	<b>100.00%</b>
<b>F. LAND ACQUISITION</b>				
4638 - Land Acquisition			0.00	0.00%
<b>G. Other</b>				
4278 - Pending Council Action			0.00	0.00%
4279 - Oth Non-Personnel			0.00	0.00%
4280 - Oth Non-Personnel Au			0.00	0.00%
4282 - Oth Non-Personnel Exp			0.00	0.00%
<b>Total Other</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>
<b>TOTAL PROJECT COST</b>	<b>0.00</b>	<b>1,174,830.25</b>	<b>1,174,830.25</b>	<b>100.00%</b>

Document	Number	Sewer	Water	Total
Pre.Auth.Res.	0	0.00	0.00	0.00
Pre.Auth.Res.	0	0.00	0.00	0.00
Pre.Auth.Res.	0	0.00	0.00	0.00
Pre.Auth.Res.	0	0.00	0.00	0.00
P A 700				
<b>Total Presently Authorized</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Surplus or Deficit: 0.00 (1,174,830.25) 0.00

DEPARTMENT:	773
FUND:	41506
CIP/SUB CIP	44-001.0/44-311.5
COUNCIL APPROVED:	0.00
COUNCIL APPROVAL NEEDED:	
Phase 01	0.00
Phase 02	1,174,830.25
TOTAL PROJECTS:	1,174,830.25
Current Deficit:	(1,174,830.25)

## CITY of SAN DIEGO - ENGINEERING AND CAPITAL PROJECTS

## CHANGE ORDER FORM

## COUNCIL APPROVAL REQUIRED

Contract Change Order No: 1  
 Project: Group 3000 Water Group 705  
 Contractor: Burtech Pipeline, Inc.

184221 / 187291  
 Job Orders: 184771 / 175411  
 Sheet: 1 of 4  
 Date: 12/12/2008

Description: **000317**

Payment to the contractor for these change order items shall provide full compensation for all equipment, materials, labor, field and home office overhead, indirect and consequential costs, mark-ups and profit necessary to complete the work. By executing this contract change order, the contractor agrees to proceed with this work as a change order per section 3-2.1 of the Standard Specifications for Public Works Construction (2006 Edition) and waives any rights to additional compensation arising out of work listed in this change order, including without limitation, any claims relating to any cumulative effect of change orders, delays, productivity impact or interruption.

## CONTRACT INFORMATION

Resolution No: <u>RR303441</u>	73-853.5 / 73-862.7	Amount Authorized	<u>\$2,639,575.18</u>
Fund: <u>41506 / 41500</u>	C.I.P. Nos.: <u>73-854.5 / 44-311.5</u>	Original Contract Amount	<u>\$2,639,575.18</u>
P.O. No: <u>5104869</u>	Aud. Cert. No.: <u>2800735</u>	Contract Amount Authorized Through Phase Funding	<u>N/A</u>
Contract Doc.: <u>K083784C</u>	Ref. Dwg. No.: <u>31729-D</u>	Prior Change Orders	<u>\$954,830.25</u>
		Amount This Change Order	<u>\$3,594,405.43</u>
		Total Contract	<u>\$3,594,405.43</u>

The cost of the Change Order ( ) is (X) is not available from the contingency funds authorized for the contract. \$954,830.25 additional funds are requested by Council Action.

The change order will ( ) not change (X) increase ( ) decrease the amount of the contract based on:

(X) an agreed lump sum of	<u>\$82,900.00</u>
(X) unit prices agreed upon totaling	<u>\$871,930.25</u>
( ) Cost plus as provided in section 3-3 of the Standard Specification for an amount not to exceed	

Original/Previous Contract duration: 200 work days. Requested by this change order 90 work days. NEW CONTRACT DURATION 290 work days.

ORIGINAL CONTRACT COMPLETION DATE: 4/28/2009

NEW CONTRACT COMPLETION DATE: 9/3/2009

Accepted By: [Signature] 1/21/09  
 Burtech Pipeline, Inc. Date

Approved by Council  
 Resolution No. 1

Dominic Burtech  
 Print name

Approved as to form: \_\_\_\_\_  
 Deputy City Attorney Date

Approved By: [Signature] 1-22-09  
 Dave Zoumaras - Deputy Director Date

Field Engineering Division, Engineering & Capital Projects Dept.

Funds Cert. By: Van Nguyen 2/20/09  
 Auditor Date

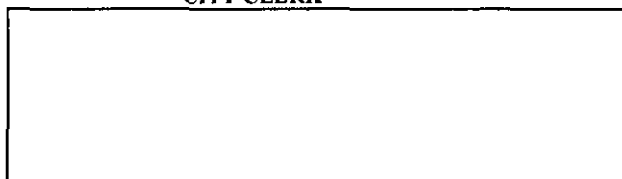
A.C. No. 2900609

Return To: Engineering & Capital Projects, MS 18

Return To: Engineering & Capital Projects, MS 18

Copy To: PURCHASING, MS 56P  
 AUDITOR, MS 6A  
 EMILY PERONE, MS 908  
 W.O. FILE FED  
 PROJECT MANAGER

CITY CLERK





**Description:** 000318

Item Nos.

	INCREASE	DECREASE
1. ADD: Provide "Certified Payroll" by 1 as required and as agreed upon for a lump sum cost of.....	\$100.00	
2. Add: Provide "Work Suspension" as necessary by 5 days at the unit price of \$100.00 per day as agreed upon for a total cost of....	\$500.00	
3. ADD: Provide "Archeological and Native American Monitoring Program" by 480 hours at the unit price of \$62.50 per hour as agreed upon for a total cost of....	\$30,000.00	
4. ADD: Provide "Paleontological Monitoring Program" by 240 hours at the unit price of \$21.00 per hour as agreed upon for a total cost of.....	\$5,040.00	
5. ADD: Provide "Archeological and Native American Mitigation & Curation" by 1 as agreed upon for a total cost of.....	\$5,000.00	
6. ADD: Provide "Archeological and Native American Mitigation & Excavation" for 20 CY at the unit price of \$50.00 per CY as agreed upon for a total cost of.....	\$1,000.00	
7. ADD: Provide "Paleontological Mitigation & Curation" by 1 as agreed upon for a total cost of...	\$5,000.00	
8. ADD: Provide "Paleontological Mitigation Excavation" for 20 CY at the unit price of \$50.00 per CY as agreed upon for a total cost of.....	\$1,000.00	
9. ADD: Provide "Development and Implementaion of Sampling and Analysis Program (Tier I)" for the lump sum cost of .....	\$1,500.00	
10. ADD: Provide "Maintain and Update Water Pollution Control Document (Tier I)" for the lump sum cost of .....	\$500.00	
11. ADD: Provide and install "Erosion Control" as required for the lump sum cost of...	\$500.00	
12. ADD: Provide and install "Sediment Control" as required for the lump sum cost of .....	\$500.00	
13. ADD: Provide and install "Storm Drain Inlet Protection" by 3 EA at the unit cost of \$100.00 per EA as agreed upon for a total cost of.....	\$300.00	
14. ADD: Provide and install "Non-Stormwater & Materials Management BMPs" as required for the lump sum cost of .....	\$1,500.00	
15. ADD: Provide "Street Sweeping" as required for the lump sum cost of .....	\$7,800.00	
16. ADD: Provide "Weather Triggered Action Plan" as required for the lump sum cost of .....	\$500.00	

Contractor: Burtech Pipeline, Inc.

Change Order 11

000319

**Description:**

Item Nos.

	INCREASE	DECREASE
17. ADD: Provide and install "Inlet Markers" by 1-EA at the bid unit price of \$100.00 per EA as agreed upon for a total cost of.....	\$100.00	
18. ADD: Provide "Traffic Control (Not Part of Plans)" as required for the lump sum cost of .....	\$20,000.00	
19. ADD: Provide "Video Taping of Pre-Existing Conditions" as required for the lump sum cost of .....	\$1,000.00	
20. ADD: Provide "Mobilization" for the lump sum cost of .....	\$25,000.00	
21. ADD: Provide "Bonds (Payment and Performance)" for the lump sum cost of .....	\$12,000.00	
22. ADD: Provide "Field Orders" for the amount not to exceed \$35,000.00 as agreed upon.....	\$35,000.00	
23. ADD: Provide and install "Damaged AC Pavement Replacement" by 1000 SF at the unit price of \$7.00 per SF as agreed upon for a total cost of.....	\$7,000.00	
24. ADD: Provide and install "Additional Curb and Gutter" by 55 LF at the unit price of \$31.00 per LF as agreed upon for a total cost of.....	\$1,705.00	
25. ADD: Provide and install "Additional sidewalk Removal and Replacement" by 500 SF at the unit price of \$15.00 per SF as agreed upon for a total cost of.....	\$7,500.00	
26. ADD: Provide and install "Trench Shoring" for the lump sum cost of .....	\$10,000.00	
27. ADD: Provide and install "Additional Bedding" by 100 CY at the unit price of \$35.00 per CY as agreed upon for a total cost of.....	\$3,500.00	
28. ADD: Provide and install "Imported Backfill" by 2000 Ton at the unit price of \$20.00 per Ton as agreed upon for a total cost of.....	\$40,000.00	
29. ADD: Provide and instal "Temporary Resurfacing" by 300 Ton at the unit price of \$115.00 per Ton as agreed upon for a total cost of.....	\$34,500.00	
30. ADD: Provide and install "Additional Pavement Removal & Disposal" by 50 CY at the unit price of \$50.00 per CY as agreed upon for a total cost of.....	\$2,500.00	
31. ADD: Provide "Flow Diversion Plan (Including Implementation) for the lump sum cost of .....	\$2,000.00	
32. ADD: Provide "Televising of Sewer Mains for Final Acceptance" by 3367 LF at the unit price of \$0.75/LF as agreed upon for a total cost of....	\$2,525.25	
33. ADD: Provide and install "8-Inch Sewer Main", by 3367 LF, and all appurtenances at the unit price of \$80.00 per Lf as agreed upon for a total cost of.....	\$269,360.00	

Contractor: Burtech Pipeline, Inc.

Change Order 11

**Description:** 000320

34. ADD: Provide and install "4-Inch Sewer Lateral & Cleanout" by 107 EA, and all appurtenances at the unit price of \$3,500.00 EA as agreed upon for a total cost of....
35. ADD: Provide and install "Manholes (4 X 3)" by 12 EA, and all appurtenances at the unit price of \$3,500.00 EA as agreed upon for a total cost of....
36. ADD: Provide "Connection to Existing Manhole & Rechannel if needed" by 3 EA, and all appurtenances at the unit price of \$1,300.00 EA as agreed upon for a total cost of ....
37. The contract duration will be extended by 90 working days for the work identified in items 1 through 36. No additional compensation will be made for the added time.

INCREASEDECREASE

\$374,500.00

\$42,000.00

\$3,900.00

**Total Increase for this Change Order**\$954,830.25

By Reason of this Contract Change Order, the number of working days shall be increased by 90 days. The compensation for these additional days is included in the cost of the change order items above. No additional compensation will be granted.

000321

Project Name: Group 3000 Water Group 705

Page 1 of 1

Contractor: Burtech Pipeline, Inc.

Change Order 11

**Justification for Entitlement:**

Item Nos.

1 through 36. Group 3000 Water Group 705 is part of the City of San Diego's continuing Annual Water Main Replacement Program. This project is located in the Kensington-Talmadge community. This project includes the replacement of approximately 3,825 linear feet (.72 miles) of water mains. The streets affected by construction operations within this project are Constance Drive, Natalie Drive, Adams Avenue, and Madison Avenue. During the construction of the water main it was discovered that the sewer main adjacent to the water main is in extremely poor condition and has the threat of collapse. To avoid sewer main blockage and possible sewer spills due to main collapse, MWWDD is requesting that the sewer main be replaced concurrently with the water main. Also by adding the sewer line work to the contract, the City will only need to pave and resurface the streets one time; therefore, saving money and time as well as minimizing impacts to the neighborhood. The additional sewer that needs to be replaced is approximately 3,367 linear feet (0.64 miles) of deteriorated 8-inch sewer main within the same neighborhood of the water main construction. Immediate replacement is necessary in order to avoid imminent failure of the existing pipeline.

37. The City and the contractor agreed to extend the contract by 90 working days due to the additional work included in this change order. All costs for these days is included in the change order items. No additional cost for days will be granted.

000323

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1,  
AND EXPENDITURE OF FUNDS IN CONNECTION WITH  
WATER GROUP 3000

WHEREAS, Water Group 3000 is part of the City of San Diego's Cast Iron Water Main Replacement Program, as mandated by the Department of Health Services Compliance Order Number 04-14-96-022;

WHEREAS, Water Group 3000 is currently under construction, with Burtech Pipeline, Inc. contracted to replace approximately 9,963 total linear feet of water mains, as follows: 3,600 linear feet (0.67 miles) for Water Group 464B; 3,825 linear feet (0.72 miles) for Water Group 705; and 2,538 linear feet (0.48 miles) for Water Group 753; and

WHEREAS, during installation of the water mains along Natalie Drive (Water Group 705), the contractor discovered severely deteriorated sewer lateral connections, which could cause immediate failure of the existing pipeline and surrounding right-of-way improvements, including sewage spills and sewer back-ups, which could jeopardize the integrity of the surrounding infrastructure, requiring the immediate replacement of approximately 3,367 linear feet (0.64 miles) of the deteriorated 8 – inch sewer main, along the same alignment of the water main, NOW, THEREFORE;

BE IT RESOLVED, by the Council, that Change Order No. 1, dated December 12, 2008, heretofore filed with the City Clerk of said City as Document No. \_\_\_\_\_, issued in connection with the contract between City and Burtech Pipeline, Inc., in an amount not to exceed \$954,830.25 for the construction is approved.

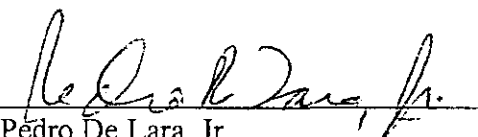
000324

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$1,174,830.25 from Sewer Fund 41506, CIP No. 44-001.0, Annual Allocation – Sewer Main Replacements is authorized solely for the construction, contingency, and Project related costs, for Change Order No. 1 and other related costs of Water Group 3000 (Water Group 705), provided that the City Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer;

BE IT FURTHER RESOLVED, that the City Comptroller is authorized upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that this activity is covered under Project No. LDR File No. 42-0889, dated January 27, 2003. The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental document adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of California Environmental Quality Act [CEQA] review per CEQA Guidelines sections 15060 (c) (3) and 15378 (c).

APPROVED: JAN I. GOLDSMITH, CITY ATTORNEY

By   
Pedro De Lara, Jr.  
Deputy City Attorney

PDJ:js  
02/09/2009  
Or.Dept: E&CP  
Aud. Cert. 2900609  
R-2009-849

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor